

\_\_\_\_.B. NO.\_\_\_\_

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# A BILL FOR AN ACT

RELATING TO HOISTING MACHINE OPERATORS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature has determined that the  
2 hoisting machine operators advisory board will not be self-  
3 sufficient beyond July 30, 2007. In order to maximize resources  
4 and talent, the legislature is transferring the administrative  
5 operations of the hoisting machine operators advisory board to  
6 the department of labor and industrial relations.

7       SECTION 2. Section 396-19, Hawaii Revised Statutes, is  
8 amended by amending subsection (b) to read as follows:

9       "(b) ~~[The hoisting machine operators advisory board may~~  
10 ~~employ a 0.5 full-time equivalent executive director, without~~  
11 ~~regard to chapters 76 and 89 and may dismiss such person as it~~  
12 ~~finds necessary for the performance of its function and duties.~~  
13 ~~The board shall have the authority to fix the executive~~  
14 ~~director's compensation.]~~ The department shall provide the  
15 advisory board administrative staff support to assist the  
16 advisory board in fulfilling its function. The advisory board

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1 may establish fees pursuant to chapter 91 to be charged for any  
2 aspect relating to the issuance of permits or certificates."

3 SECTION 3. Section 396-20, Hawaii Revised Statutes, is  
4 repealed.

5 [~~"§396-20~~] ~~Hoisting machine operators' certification~~  
6 ~~revolving fund.~~ (a) ~~There is established in the state treasury~~  
7 ~~a revolving fund to be known as the hoisting machine operators'~~  
8 ~~certification revolving fund into which shall be deposited all~~  
9 ~~fees, penalties, fines, and interest collected from:~~

10 ~~(1) Certification of hoisting machine operators;~~

11 ~~(2) Interest and investment moneys earned on any moneys in~~  
12 ~~the fund; and~~

13 ~~(3) All moneys received for the fund from any source.~~

14 ~~The moneys in the fund may be used to carry out the purposes of~~  
15 ~~this section. The director of finance shall disburse the moneys~~  
16 ~~in the fund in accordance with instructions from the director.~~

17 ~~(b) The fund may be used for:~~

18 ~~(1) Personnel and operating expenses for an executive~~  
19 ~~director for the hoisting machine operators advisory~~  
20 ~~board;~~

21 ~~(2) All necessary board costs and reimbursements;~~

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1       ~~(3) Preparation and dissemination of public information on~~  
2           ~~hoisting machine operators' certification and~~  
3           ~~training;~~

4       ~~(4) Preparation of annual reports on certification program~~  
5           ~~activities and accomplishments and on the fund; and~~

6       ~~(5) Any reimbursements to the state general fund for funds~~  
7           ~~appropriated by the legislature to establish the~~  
8           ~~revolving fund.~~

9       ~~(c) The director shall submit an annual report to the~~  
10       ~~legislature on the status of the fund, including expenditures~~  
11       ~~and program results, not less than twenty days prior to the~~  
12       ~~convening of each regular session." ]~~

13       SECTION 4. At the close of business on June 30, 2005, all  
14       unexpended and unencumbered moneys remaining in the hoisting  
15       machine operators certification revolving fund shall lapse to  
16       the general fund.

17       SECTION 5. Statutory material to be repealed is bracketed  
18       and stricken. New statutory material is underscored.

19       SECTION 6. This Act shall take effect on June 30, 2005.

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21                                   INTRODUCED BY: \_\_\_\_\_

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BY REQUEST